

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL ANTHONY DELEAVER,

Petitioner

v.

PENNSYLVANIA BOARD OF PROBATION
& PAROLE,

Respondent

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:
: CIVIL NO. 3:CV-05-1905
:
: (Judge Kosik)
:
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ORDER

_____**AND NOW, THIS 26th DAY OF SEPTEMBER, 2005, IT IS HEREBY ORDERED**

THAT:

1. The Clerk of Court is directed to serve a copy of the Petition (Doc. 1) and Supporting Memorandum (Doc. 2) by certified mail on the Attorney General of the Commonwealth of Pennsylvania and the Pennsylvania Board of Probation and Parole;
2. Within twenty (20) days of receipt of this Order, Respondent shall answer the allegations in the Petition for Writ of Habeas Corpus;
3. A Memorandum of Law shall be filed with the Answer. The Memorandum shall contain the relevant facts and procedural history of the case, a recommended disposition of the Petition, and citations to pertinent case law;
4. If the Petitioner chooses to file a Reply, the Reply shall be filed within fifteen (15) days of the filing of the Response;
5. A determination whether the Petitioner should be produced for a hearing will be held in abeyance pending the filing of Respondent's Answer and Memorandum of Law, and the Petitioner's Reply, if he chooses to file one;

6. Petitioner's motion for leave to proceed in forma pauperis (Doc. 3) is denied as moot in that the filing fee has been submitted in this matter.

s/Edwin M. Kosik

United States District Judge

EMK:lq